

2009 NOV 30 P 2: 25

ORDINANCE NO. 2009-26

CINDY MURRAY

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF  
TIPPECANOE COUNTY, INDIANA, TO REZONE CERTAIN  
REAL ESTATE, FROM R3 & I3 TO GB

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF LAFAYETTE,  
TIPPECANOE COUNTY, INDIANA:

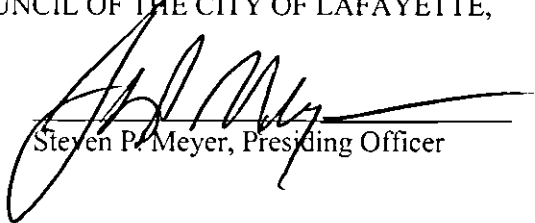
Section I. The Unified Zoning Ordinance of Tippecanoe County, Indiana, being a separate ordinance and part of the Municipal Code of Lafayette, Indiana, is hereby amended to rezone the following described real estate situated in Fairfield Township, Tippecanoe County, Indiana, to wit:

(See legal description attached hereto)

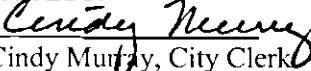
Section II. The real estate described above should be and the same is hereby rezoned from R3 & I3 to GB.

Section III. This ordinance shall be in full force and effect from and after its passage.

PASSED AND ADOPTED BY THE COMMON COUNCIL OF THE CITY OF LAFAYETTE,  
INDIANA THIS 7 DAY OF Dec, 2009.

  
Steven P. Meyer, Presiding Officer

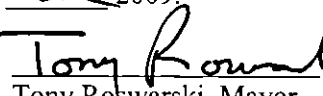
ATTEST:

  
Cindy Murray, City Clerk

Presented by me to the Mayor of the City of Lafayette, Indiana, on the 7 day of  
Dec, 2009

  
Cindy Murray, City Clerk

This Ordinance approved and signed by me on the 7 day of Dec, 2009.

  
Tony Roswarski, Mayor

ATTEST:

  
Cindy Murray, City Clerk

#### Tract 1

A part of the West Half of the Longlois Reserve in Township twenty-three (23) North, Range Four (4) West, as described as follows, to-wit:

Beginning at a point on the West line of said Reserve thirty-six and 65/100 (36.65) poles North of the South west corner thereof in the center of the Lafayette and Wild Cat Gravel Road; thence North on said West line fifty-two and 80/100 (52.80) poles; thence East eight and 91/100 (8.91) poles; thence South and parallel with the West line of said Reserve forty-eight and 35/100 (48.35) poles to the center line of said Gravel Road; thence South Westerly with said center line to the place of beginning, containing two and 82/100 (2.82) acres, more or less.

EXCEPT a part of the above tract described as follows, to-wit:

Beginning at the Northwest corner thereof; thence East one hundred forty-seven (147) feet to the Northeast corner; thence South along the East line of said tract three hundred seventy-four (374) feet; thence South sixty-five and one-half degrees (65 1/2°) West forty-four feet (44'); thence on a curve to the South whose radius is thirteen hundred and eighty-two (1382) feet, one hundred twenty-six (126) feet to the West line of said tract; thence North four hundred fifty-two (452) feet to the place of beginning, containing one and 38/100 (1.38) acres, more or less.

The tract remaining after the above exception of 1.38 acres containing one and 44/100 (1.44) acres, more or less.

EXCEPT from the above one and 44/100 (1.44) acre tract a strip of ground fifty-eight (58) feet of even width off of and from the entire East side thereof, leaving in the tract herein described 89/100 (.89) of an acre, more or less. Located in Fairfield Township, Tippecanoe County, Indiana

#### Tract 2

Fifty-eight (58) feet of even width off of the entire East side of the following described tract, to-wit:

A part of the West Half of Longlois Reserve in Township Twenty-three (23) North Range Four (4) West, described as follows, to-wit:

Beginning at a point on the West line of said Reserve thirty-six (36) and 65/100 (36.65) poles North of the Southwest corner thereof in the center of the Lafayette and Wild Cat Gravel Road; thence North on said West line fifty-two and 80/100 (52.80) poles; thence East eight and 91/100 (8.91) poles; thence South and parallel with the West line of said Reserve forty-eight and 35/100 (48.35) poles to the center line of said Gravel Road; thence Southwesterly with said center line to the place of beginning, containing two and 82/100 acres, more or less.

EXCEPT a part of the above tract described as follows, to-wit:

Beginning at the Northwest corner thereof; thence East one hundred forty-seven (147) feet to the Northeast corner; thence South along the East line of said tract three hundred seventy-four (374) feet; thence South sixty-five and one-half degrees (65 1/2°) West forty-four (44) feet; thence on a curve to the South whose radius is thirteen hundred eighty-two (1382) feet, one hundred twenty-six (126) feet to the West line of said tract; thence North for hundred fifty-two (452) feet to the place of beginning, containing one and 38/100 (1.38) acres, more or less.

The tract herein described containing one and 44/100 (1.44) acres, more or less.

EXCEPT from Tract 1 & 2 above

A part of the West Half of Longlois Reserve, Township 23 North Range 4 West, City of Lafayette, Tippecanoe County, Indiana described as follows: Beginning on the west line of said Longlois Reserve at a point North 0 degrees 00 minutes 40 seconds East 959.15 feet from the southwest corner of said Reserve; thence North 0 degrees 00 minutes 40 seconds East 81.56 feet along said west line to the northwest corner of the owner's land and southeastern boundary of Monon Ave.; thence Northeasterly 120.36 (126 feet by Deed Record 93, page 12335) along an arc to the right and having a radius of 1,322.95 feet and subtended by a long chord having a bearing of North 62 degrees 51 minutes 50 seconds East and a length of 120.32 feet along the boundary of Monon Ave.; thence North 65 degrees 13 minutes 54 seconds East 44 feet (distance quoted from Deed Record 93, pages 12335) along said boundary to the northeast corner of the owner's land; thence South 0 degrees 04 minutes 40 seconds West 38.77 feet along the east line of the owner's land; thence South 51 degrees 41 minutes 41 seconds West 187.30 feet to the point of beginning and containing 0.208 acres, more or less.

**Ruby V. Clark Property**

Key No. 156-00400-1352

Deed Book 207, Page 260

The East half of the West half of the following described real estate, to-wit:

Being part of Lot numbered seven (7) in School Section sixteen (16), in Township twenty-three (23) North, Range Four (4) West; Beginning at the South East corner of said lot numbered seven (7); and running West two and 27/100 (2.27) chains; thence North four and 40/100 (4.40) chains; thence East two and 27/100 (2.27) chains, thence South of the East line said lot numbered seven (7), four and 40/100 (4.40) chains to the place of beginning

EXCEPT the City of Lafayette property as described in Document Number 07004428 in the Office of the Tippecanoe County Recorder, being more completely described as follows:

A part of School Lot 7 in Section 16, Township 23 North, Range 4 West, Tippecanoe County, Indiana described as follows; Commencing at the southeast corner of said lot; thence North 89 degrees 35 minutes 41 seconds West 112.37 feet along the south line of said lot to the southwest corner of the owner's land; then North 0 degrees 02 minutes 57 seconds East 290.77 feet along the west line of the owner's land to the northwest corner of the owner's land and the point of beginning of this description: thence South 89 degrees 25 minutes 20 seconds East 28.41 feet along the north line of the owner's land; thence South 52 degrees 40 minutes 20 West 35.75 feet to the west line of the owner's land; thence North 0 degrees 02 minutes 57 seconds East 21.97 feet along said west line to the point of beginning and containing 312 square feet, more or less. Located in Fairfield Township, Tippecanoe County, Indiana.

**Ruby V. Clark Property**

Key No. 156-00400-1164

(Includes Property Described in D.R. 86-18465 & Areas of Unclear Title)

The East half of the following described real estate, to-wit:

Being part of Lot numbered seven (7) in School Section sixteen (16), in Township twenty-three (23) North, Range Four (4) West; Beginning at the South East corner of said lot numbered seven (7); and running West two and 27/100 (2.27) chains; thence North four 40/100 (4.40) chains; thence East two and 27/100 (2.27) chains, thence South on the East line of said lot numbered seven (7), four and 40/100 (4.40) chains to the place of beginning.

**Ruby V. Clark Property**

Key No. 156-00400-1153

Document No. 9830133

.30 acre Part Lot 7, Section 16, Township 23 Range 4, Lafayette, described as such in Tax Title Deed dated April 14, 1953, and recorded in Deed Record 235, page 315 of the Records of Tippecanoe County, Indiana, more completely described in Deed Book 166, page 272 in the Office of the Tippecanoe County Recorder as follows:

A part of lot seven (7) in Section sixteen (16) township twenty three (23) North, Range Four (4) West, and described as follows, to-wit:

Commencing at the west line of Longlois Reserve and the south line of Monon Ave Running thence south one hundred and forty four (144) feet more or less to the north east corner of a tract of land owned by Ada A. Frey, as shown in the plat book in the Assessor's office of Tippecanoe County Indiana, of even date; Thence west one hundred ninety two and seventy hundredths feet (192.70) feet to the east line of Monon Ave. Thence north easterly along the south easterly line of Monon Ave to the place of beginning, containing 30/100 acres more or less.

EXCEPT the City of Lafayette property as describe in Document Number 9830134 in the Office of the Tippecanoe County Recorder, more completely described as follows:

A part of School Lot 7 in Section 16, Township 23 North, Range 4 West, Tippecanoe County, Indiana, described as follows:

Commencing at the southeast corner of said lot; thence North 0 degrees 00 minutes 40 seconds East 290.43 feet along the east like of said lot to the southeast corner of the owner's land; thence North 89 degrees 25 minutes 20 seconds West 83.71 feet along the south line of the owner's land to the point of beginning of the description: thence North 89 degrees 25 minutes 20 seconds West 108.16 feet along said south line to the southeastern boundary of

Monon avenue; thence along the boundary of Monon Avenue Northeasterly 234.02 feet along and arc to the right and having a radius of 1,322.95 feet and subtended by a long chord having a bearing of North 55 degrees 11 minutes 25 seconds East and a length of 233.71 feet to the northeast corner of the owner's land; thence South 0 degrees 00 minutes 40 seconds West 81.56 feet along the east line of the owner's land; then South 57degrees 41 minutes 23 seconds West 99.06 feet to the south line of owner's land to the point of beginning of the description and containing 11.539 square feet, more or less.